

Debora Novakowski

novawell@velocity.net

**AFFIDAVIT**

COMMONWEALTH OF PENNSYLVANIA ) SS:  
 )  
COUNTY OF PHILADELPHIA )

Before me, the undersigned, a Notary Public in and for said County and Commonwealth,  
personally appeared **James Weyrauch**, who after being duly sworn, states as follows:

I, James Weyrauch, who resides at 216 Wilde Avenue, Drexel Hill, PA 19026,  
state as follows:

I have been a union representative for 31 years in the United States Department of Labor. I am now currently the President of AFGE Local 644 and the Executive Vice President of AFGE Council 73. I have handled many EEO Complaints and other third party proceedings in my career.

I have been informed of actions taken against Debora Novakowski by the Acting Managers of the Erie Area Office of the Occupational Safety and Health Administration of the Department of Labor.

The Department of Labor does not officially retaliate against employees who file complaints of discrimination. However, individual managers and some agency heads react personally to such complaints and retaliate against the person who files one.

March 28, 2006

e-mail to:

Debora Novakowski

Page Two

The retaliation is very discrete but real. The employee's work product gets closer scrutiny than that of other employees, the employee's time and attendance is closely monitored. Minor faults in the employee's performance and activities which would be ordinarily overlooked and ignored are documented with the intent of creating a derogatory record. I have witnessed these occurrences on many occasions in my career and have acted in opposition to such practices many times.

The actions experienced by Ms. Novakowski indicate to me that she has become the subject of such conduct by the management of her office. Unsubstantiated charges of failing to cover her duty day and the requirement that she report daily by telephone to management when she is in the field, are indications of special scrutiny being applied to her performance. Although these practices are within the right of management when applied equally to all employees, and when there are indications of poor performance by a single employee, when they are selectively applied without any basis in performance to an EEO Complainant, they appear to be retaliatory.

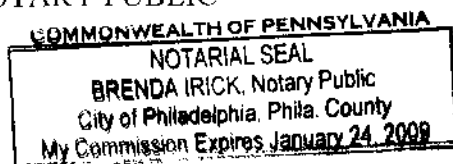
Date \_\_\_\_\_

  
James Weyrauch

Sworn to and subscribed before me on this

31<sup>st</sup> day of March 2006

  
NOTARY PUBLIC



MY COMMISSION EXPIRES: